

United States Patent and Trademark Office

PV

PAPER NUMBER

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.usplo.gov

APPLICATION NO. FILING DATE FIRST NAMED INVENTOR ATTORNEY DOCKET NO. CONFIRMATION NO. 10/19/2001 2494 10/039,625 Michael Dwight Vander Vorste L-1610 7590 08/22/2003 Howard R. Lambert **EXAMINER** 5245 Gatewood Lane TA, THO DAC Anaheim, CA 92807

ART UNIT

DATE MAILED: 08/22/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action 10/039,625		Application No.	Applicant(s)	1)	
Examiner Art Unit 2833		10/039,625	VANDER VORSTE	ET AL.	
THE REPLY FILED 0A August 2003 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.13° may only be either. (1) a timely filed damendment which places the application in condition for allowance; (2) a timely filed Molice of Appeal (with appeal fee); or (3) a timely filed Molice of Appeal (with appeal fee); or (3) a timely filed Molice of Appeal (with appeal fee); or (3) a timely filed Molice of Appeal (with appeal fee); or (3) a timely filed Molice of Appeal (with appeal fee); or (3) a timely filed Molice of Appeal (with appeal fee); or (3) a timely filed Molice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.1146. **PERIOD FOR REPLY** [check either a) or (b) in the period for reply expires 3 months from the malling date of the final rejection. The period for reply expires 3 months from the malling date of the final rejection. Only Ortheck This BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP Appeal to the date for purposes of determining the period of extension and the corresponding amount of the fee. The approxists extension fee have been filed in the date for purposes of determining the period of extension and the corresponding amount of the fee. The approxists extension fee have been filed in the date for purposes of determining the period of extension and the corresponding amount of the fee. The approxists extension fee many be determined by a calculated from: (1) the expiration date of the shortest extension fee in the shortest extension fe	Navious Addion	Examiner	Art Unit		
THE REPLY FILED 04 August 2003 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper feely to final rejection under 37 CFR 1.113 may apply be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. PERICO FOR REPLY [check either a) or b]		Tho D. Ta	2833		
Therefore, further action by the applicant is required to avoid abandonment of this application. A proper repty to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. PERIOD FOR REPLY [check either a) or b]	The MAILING DATE of this communication appears on the cover sheet with the correspondence address				
a) The period for reply expiresmonths from the mailing date of the final rejection. b) The period for reply expires on: (i) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, with the studnory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. See MPEP TORION CHECKTHIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP TORION CHECKTHIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP TORION CHECKTHIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP TORION CHECKTHIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP TORION CHECKED Any properties of the section of the se	Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued				
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, winchiever is later. In no event, with the statutory period for reply expire later than SIX MONTES from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f). Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed in the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action, or (2) as set forth (2) above, it checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.794(b). 1	PERIOD FOR RE	PLY [check either a) or b)]			
Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth it (b) above, if checked. Any reply received by the Office later than three months after the malling date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b). 1. A Notice of Appeal was filed on Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal. 2. The proposed amendment(s) will not be entered because: (a) they raise new issues that would require further consideration and/or search (see NOTE below); (b) they raise the issue of new matter (see Note below); (c) they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or (d) they present additional claims without canceling a corresponding number of finally rejected claims. NOTE: *See Continuation Sheet** 3. Applicant's reply has overcome the following rejection(s): 4. Newly proposed or amended claim(s) would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s) would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s). 5. The aj affidavit, bj exhibit, or c) request for reconsideration has been considered but does NOT place the application in condition for allowance because: 6. The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final reje	b) The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP				
37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal. 2.	have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any				
(a) ☑ they raise new issues that would require further consideration and/or search (see NOTE below); (b) ☐ they raise the issue of new matter (see Note below); (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims. NOTE: See Continuation Sheet 3. ☐ Applicant's reply has overcome the following rejection(s): 4. ☐ Newly proposed or amended claim(s) would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s). 5. ☐ The a) ☐ affidavit, b) ☐ exhibit, or c) ☐ request for reconsideration has been considered but does NOT place the application in condition for allowance because: 6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection. 7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☒ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended. The status of the claim(s) is (or will be) as follows: Claim(s) allowed: Claim(s) objected to: Claim(s) withdrawn from consideration: 8. ☐ The proposed drawing correction filed on is a) ☐ approved or b) ☐ disapproved by the Examiner. 9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s) THO D.TA					
(b) ☐ they raise the issue of new matter (see Note below); (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims. NOTE: See Continuation Sheet. 3. ☐ Applicant's reply has overcome the following rejection(s): 4. ☐ Newly proposed or amended claim(s) would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s) would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s). 5. ☐ The affidavit, b) ☐ exhibit, or c) ☐ request for reconsideration has been considered but does NOT place the application in condition for allowance because: 6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection. 7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☒ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended. The status of the claim(s) is (or will be) as follows: Claim(s) allowed: Claim(s) objected to: Claim(s) withdrawn from consideration: 8. ☐ The proposed drawing correction filed on is a) ☐ approved or b) ☐ disapproved by the Examiner. 9. ☐ Note the attached Information Disclosure Statement(s)(PTO-1449) Paper No(s) THO D. TA	2. The proposed amendment(s) will not be entered because:				
(c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims. NOTE: See Continuation Sheet. 3. ☐ Applicant's reply has overcome the following rejection(s): 4. ☐ Newly proposed or amended claim(s) would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s) would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s). 5. ☐ The alfidavit, b) ☐ exhibit, or c) ☐ request for reconsideration has been considered but does NOT place the application in condition for allowance because: 6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection. 7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☒ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended. The status of the claim(s) is (or will be) as follows: Claim(s) allowed: Claim(s) objected to: Claim(s) withdrawn from consideration: 8. ☐ The proposed drawing correction filed on is a) ☐ approved or b) ☐ disapproved by the Examiner. 9. ☐ Note the attached Information Disclosure Statement(s)(PTO-1449) Paper No(s) THO D. TA	(a) ☑ they raise new issues that would require further consideration and/or search (see NOTE below);				
issues for appeal; and/or (d)	(b) ☐ they raise the issue of new matter (see Note below);				
NOTE: See Continuation Sheet. 3. Applicant's reply has overcome the following rejection(s): 4. Newly proposed or amended claim(s) would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s). 5. The a) affidavit, b) exhibit, or c) request for reconsideration has been considered but does NOT place the application in condition for allowance because: 6. The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection. 7. For purposes of Appeal, the proposed amendment(s) a) will not be entered or b) will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended. The status of the claim(s) is (or will be) as follows: Claim(s) allowed: Claim(s) objected to: Claim(s) withdrawn from consideration: 8. The proposed drawing correction filed on is a) approved or b) disapproved by the Examiner. 9. Note the attached Information Disclosure Statement(s)(PTO-1449) Paper No(s) THO D.TA	$\mathcal{C}_{\mathcal{C}} = \mathcal{C}_{\mathcal{C}}$				
3.	(d) they present additional claims without canceling a corresponding number of finally rejected claims.				
4. Newly proposed or amended claim(s) would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s). 5. The a) ☐ affidavit, b) ☐ exhibit, or c) ☐ request for reconsideration has been considered but does NOT place the application in condition for allowance because: 6. The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection. 7. For purposes of Appeal, the proposed amendment(s) a) ☑ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended. The status of the claim(s) is (or will be) as follows: Claim(s) allowed: Claim(s) objected to: Claim(s) rejected: 1-24. Claim(s) withdrawn from consideration: 8. The proposed drawing correction filed on is a) ☐ approved or b) ☐ disapproved by the Examiner. 9. Note the attached Information Disclosure Statement(s)(PTO-1449) Paper No(s) THO D. TA	NOTE: See Continuation Sheet.				
canceling the non-allowable claim(s). 5. The a) affidavit, b) exhibit, or c) request for reconsideration has been considered but does NOT place the application in condition for allowance because: 6. The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection. 7. For purposes of Appeal, the proposed amendment(s) a) will not be entered or b) will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended. The status of the claim(s) is (or will be) as follows: Claim(s) allowed: Claim(s) objected to: Claim(s) rejected: 1-24. Claim(s) withdrawn from consideration: 8. The proposed drawing correction filed on is a) approved or b) disapproved by the Examiner. 9. Note the attached Information Disclosure Statement(s)(PTO-1449) Paper No(s) THO D.TA	3. Applicant's reply has overcome the following rejection(s):				
application in condition for allowance because: 6. The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection. 7. For purposes of Appeal, the proposed amendment(s) a) will not be entered or b) will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended. The status of the claim(s) is (or will be) as follows: Claim(s) allowed: Claim(s) objected to: Claim(s) rejected: 1-24. Claim(s) withdrawn from consideration: 8. The proposed drawing correction filed on is a) approved or b) disapproved by the Examiner. 9. Note the attached Information Disclosure Statement(s)(PTO-1449) Paper No(s) THO D. TA					
raised by the Examiner in the final rejection. 7. For purposes of Appeal, the proposed amendment(s) a) will not be entered or b) will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended. The status of the claim(s) is (or will be) as follows: Claim(s) allowed: Claim(s) objected to: Claim(s) rejected: 1-24. Claim(s) withdrawn from consideration: 8. The proposed drawing correction filed on is a) approved or b) disapproved by the Examiner. 9. Note the attached Information Disclosure Statement(s)(PTO-1449) Paper No(s) 10. Other:					
explanation of how the new or amended claims would be rejected is provided below or appended. The status of the claim(s) is (or will be) as follows: Claim(s) allowed: Claim(s) objected to: Claim(s) rejected: 1-24. Claim(s) withdrawn from consideration: 8. The proposed drawing correction filed on is a) approved or b) disapproved by the Examiner. 9. Note the attached Information Disclosure Statement(s)(PTO-1449) Paper No(s) 10. Other:					
Claim(s) allowed: Claim(s) objected to: Claim(s) rejected: 1-24. Claim(s) withdrawn from consideration: 8.					
Claim(s) objected to: Claim(s) rejected: 1-24. Claim(s) withdrawn from consideration: 8. The proposed drawing correction filed on is a) approved or b) disapproved by the Examiner. 9. Note the attached Information Disclosure Statement(s)(PTO-1449) Paper No(s) 10. Other:	The status of the claim(s) is (or will be) as follows:				
Claim(s) rejected: 1-24. Claim(s) withdrawn from consideration: 8. The proposed drawing correction filed on is a) approved or b) disapproved by the Examiner. 9. Note the attached Information Disclosure Statement(s)(PTO-1449) Paper No(s) 10. Other: THO D. TA	Claim(s) allowed:				
Claim(s) withdrawn from consideration: 8. The proposed drawing correction filed on is a) approved or b) disapproved by the Examiner. 9. Note the attached Information Disclosure Statement(s)(PTO-1449) Paper No(s) 10. Other: THO D. TA	Claim(s) objected to:				
8. The proposed drawing correction filed on is a) approved or b) disapproved by the Examiner. 9. Note the attached Information Disclosure Statement(s)(PTO-1449) Paper No(s) 10. Other: THO D. TA	Claim(s) rejected: <u>1-24</u> .				
9. Note the attached Information Disclosure Statement(s)(PTO-1449) Paper No(s) 10. Other: THO D. TA	Claim(s) withdrawn from consideration:				
10. Other: Tho D. TA	8. The proposed drawing correction filed on is	a) approved or b) disap	proved by the Exan	niner.	
THO D. TA	9. Note the attached Information Disclosure Statement(s)(PTO-1449) Paper No(s)				
	10. Other:			IINER	

Continuation Sheet (PTOL-303) 10/039,625

Continuation of 2. NOTE: the cancellation of the original claims and the addition of the new claims raise new issues.